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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,477	02/22/2002	Richard Brown	B-4518 619564-1	8511

7590 09/08/2006
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

TRUONG, THANHNGA B

ART UNIT	PAPER NUMBER
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2135

DATE MAILED: 09/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,477

Applicant(s)

BROWN ET AL.

Examiner

Thanhnga B. Truong

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 and 11-18 is/are allowed.
- 6) ☒ Claim(s) 1-5, 7 and 10 is/are rejected.
- 7) ☒ Claim(s) 6 and 8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Thanhnga B. Truong
AU2135

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/21, 4/24, 8/16/06.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The Appeal Brief filed June 8, 2006 has been carefully considered by an Appeal Conference. The conferees agreed that the combination of teachings between Helbig and McNabb et al fails to teach the claimed an assessor computing device receiving via the network a report from, and pertaining to the trustworthiness of, a first computing device, and the assessor computing device updating via the network the trust policy of a second computing device in accordance with the report. Thus the Final office action mailed January 9, 2006 is now withdrawn. The office regrets any inconvenience due to the applicant. However, after an in depth of updating the search, the examiner maintains the position with a new ground(s) of rejection herein on claims 1-5, 7, and 10. At this time claims 1-5, 7, and 10 are rejected.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on March 21, 2006, April 24, 2006, and August 16, 2006 was filed after the mailing date of the final office action mailed on January 9, 2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant does not recite the step process for the method of operating a trusted computing system.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-5, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Stevens et al (US 6,539,425 B1).

a. Referring to claim 1:

i. Stevens teaches:

(1) an assessor computing device receiving via the network a report from, and pertaining to the trustworthiness of, a first computing device, and the assessor computing device updating via the network the trust policy of a second computing device in accordance with the report **[i.e., individual branches or entire sub-trees of directory information and executables at a network device such as 720-i may be accessed by other network devices through LDAP server interface 725-i. Such server interfaces interconnect network devices through access paths, e.g., broken line paths such as 780, 781 and 782 in FIG. 7, to provide information and executable modules through standard network messaging. Thus, client and server functions at individual network devices (such as LDAP server processor 530-(N-1) and client processor 530-N in FIG. 5) receive and send policy information (including executables) to other network devices 720 in FIG. 7. Network 790 in FIG. 7 may be a local area network (LAN) or a public or private wide area network (WAN), including the Internet. An important advantage of storing policy information and executables at individual network devices is that data or control functionality unique to a device or set of network devices can be stored at an optimal location in the network, rather than at, e.g., one or more of the replicated directory servers 610 or 700. Thus, policy information for particular network devices, or types of device, can be stored or executed at a representative one of these devices: the devices can rely on information or executables**

available at that representative device to generate updated control information for itself and any peer or colleague devices similarly affected by the policy change. This updated policy information available locally at one of these devices is advantageously provided to other affected network devices upon request or pushed under locally determined circumstances (column 13, lines 54-67 through column 14, lines 1-15 of Stevens)).

b. Referring to claims 2-5, and 7:

i. These claims have limitations that is similar to those of claim 1, thus they are rejected with the same rationale applied against claim 1 above.

Allowable Subject Matter

7. Claims 6 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 9, 11-18 are allowed.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Rothermel et al (US 6,678,827 B1) disclose managing multiple network security devices from a manager device wherein Rothermel is directed to a facility for using a security policy manager device to remotely manage multiple network security devices (NSDs) (see abstract).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Chantye B. Dr
AU2135

TBT

September 1, 2006